

# EXHIBIT A

**DECLARATION OF HEATHER JACKSON**

I, Heather Jackson, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. My daughter's name is B.P.J. My daughter is a bright and kind child who cares deeply about her family and friends and excels in school.

3. My daughter is also transgender.

4. B.P.J. was diagnosed with gender dysphoria in 2019. She has been on puberty delaying treatment for the past three years and started hormone therapy in June of 2022 under the care of Dr. Kacie Kidd and her multidisciplinary team at West Virginia University Children's Hospital. I take B.P.J. to see Dr. Kidd for routine check-ups where her hormone levels are monitored through blood work to ensure that her puberty delaying medication and hormone therapy are at the right dosages for her age and development. At each visit, including our last visit on July 13, 2023, Dr. Kidd has told us that B.P.J.'s hormone levels are within the normal range for cisgender girls, and that she can continue with the same treatment.

5. When B.P.J. began middle school, she was excited to try out for Bridgeport Middle School's girls' cross-country and track teams. The injunction granted in this case has allowed B.P.J. to participate on her middle school's cross-country and track teams for the past four seasons. B.P.J. has had the time of her life participating on these teams. She made close friends who she considers her second family, and she has gained a sense of belonging.

6. B.P.J. told me that she learned a lot about teamwork, camaraderie, and the importance of practice through her participation in school sports. This past Spring, B.P.J. made her track team, but her participation was restricted to field events. She was told that she was too

slow to make the team for running events, so she continued to participate in shotput and discus as she did Spring of 2022.

7. B.P.J. is hard-working. She does not take the opportunity to participate for granted, and she has been dedicated to improving her performance and trying her best at every practice and track meet. I am so proud of how hard B.P.J. has been training. For the past six months, B.P.J. has called on me numerous times to take her to practice shotput and discus after hours at the school and on the weekends. When I look outside my window at home, I often see B.P.J. in the backyard practicing her throwing form, by herself, for hours. It makes me so happy to witness this perseverance in my daughter.

8. Regardless of how B.P.J. performs at a meet, she always shows up with enthusiasm. Sometimes, she scored well enough at meets this past season to earn points for her school, and sometimes her performance was not strong enough to earn points. B.P.J. continued to work hard to be the best athlete she could, and had the opportunity to participate in the Mid Mountain 10 Championships, which were held on April 29, 2023. B.P.J. was selected to compete for shotput and discus. However, the only reason she qualified to compete in shotput is because her teammate, K.M., was on vacation during the meet and was unable to participate, bumping B.P.J. to be selected for shotput.

9. I am so grateful that B.P.J. is on a team led by a coach who values camaraderie and encourages B.P.J. and her teammates to do their best, above all else. As an example of that, during some of the meets this past season, there were not enough spots for every student on the team to participate. B.P.J.'s coach selected a roster of students to participate to ensure that everyone on the team had an opportunity to play, regardless of their performance at prior meets or practice.

10. B.P.J. is so excited to try out for the cross-country team this fall. Although B.P.J. is not the fastest runner by any means, she loves getting out on the field and doing her best. She is also an incredibly supportive teammate. When I watched B.P.J. at her track meets this Spring, although she was not fast enough to compete in the running events herself, she would stand at the finish line and cheer on her teammates and fellow competitors from other schools and motivate them to finish strong. She hopes to have the opportunity to run this fall and be that same encouraging teammate while also receiving support from her classmates.

11. My daughter is the happiest I have ever seen her when she is accepted for who she is and able to participate in school sports. B.P.J. was thrilled to be able to participate on her track team this Spring, but she lives in daily fear that the opportunity to play and compete with her friends will be taken away from her simply because of who she is. The thought of watching my thirteen-year-old girl be prevented from doing the thing she loves is heartbreaking. Forcing her to run with the boys (which is not an option for her) is a clear sign to her and others that the state refuses to see her and accept her for the girl that she is, and would further isolate, stigmatize, and erase her, causing her unimaginable harm.

\* \* \*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 07/19/23

A handwritten signature in black ink, appearing to read "Heather Jackson", is written over a light blue rectangular background.

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Heather Jackson